IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.3629 OF 2005
WITH
INCOME TAX APPEAL (L) NO.1599 OF 2005

Bhima Sahakari Sakhar Karkhana Ltd. ..Appellant.
Vs.
The Dy. Commissioner of Income Tax. ..Respondent.

Shri.Vishal Kanade for the Appellant.

Mr. P.S.Sahadevan for the Appellant.

None for the Respondents.

CORAM : F.I. REBELLO & R.S. MOHITE, JJ.
DATED : 11TH MARCH, 2008.

PC :

1. This is a notice of motion for condonation of 460 days delay in preferring the main appeal. On perusal of the affidavit in support indicates that a copy of the impugned order passed by the ITAT was received by the appellant on 30.4.2004. The appeal came to be filed on 24.11.2005. No dates have been given in respect of the events which occurred between the aforesaid period. In our view, the cause shown does not amount to sufficient cause. Hence, notice of motion stands dismissed.

INCOME TAX APPEAL LODGING NO.194 OF 2006

1. As the motion for condonation of delay is dismissed, appeal is also dismissed.

(R.S. MOHITE, J.) **(F.I.REBELLO, J.)**